IN RE: PETITION FOR SPECIAL HEARING E/S Cradock Lane, 1500' +/-N of Reisterstown Road 3rd Election District

* ZONING COMMISSIONER * OF BALTIMORE COUNTY 3rd Councilmanic District

* Case No. 88-506-SPH Diversified Cradock Estates Ltd. Partnership - Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

* * * * * * * * * * *

The Petitioner herein requests a special hearing to approve a

second amended final development plan to "Cradock Estates" to reduce the number of lots from 113 to 106 and to reduce the minimum setback line for Lot #22, Harvest Rush Road, from 25' to 20', as more particularly described in Petitioner's Exhibit 1.

The Petitioner, by Ellwood Sinsky, Vice President, appeared and testified. There were no Protestants.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing was not granted. It has been established that the requirement from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, to grant the relief requested will not be detrimental to the public health, safety, and gener-

The proposed use will not be detrimental to the health, safety, general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsis-

DESCRIPTION

OF THE OUTLINE BOUNDARY OF CRADOCK ESTATES LOCATED IN THE 3PD. ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND.

Beginning for the same at a point at the north-western-most corner of the property outline of Cradock Estates; said point being distant 355' more or less north of the intersection of Berry Vine Drive and Cradock Lane as measured along the centerline of Cradock Lane. Leaving said point for the following nineteen (19) courses and distances, viz: (1) North 88 degrees, 42 minutes, 27 seconds East, 420.71 feet more or less; (2) South 88 degrees, 33 minutes, 48 seconds East, 795.07 feet more or less; (3) South 29 degrees, 40 minutes, 12 seconds East, 266.48 feet more or less; (4) South 28 minutes, 55 seconds East, 1,153.50 feet more or less; (5) South 85 degrees, 35 minutes, 5 seconds West, 932.23 feet more or lcss; (6) North 14 degrees, 18 minutes, 25 seconds West, 89.70 more or less; (7) North 17 degrees, 30 minutes, 30 seconds West, 173.89 feet more or less; (8) North 10 degrees, 33 minutes, 30 seconds West, 100.00 feet more or less; (9) North 5 degrees, 48 minutes, 10 seconds West, 189.03 feet more or less; (10) North 10 degrees, 23 minutes, 20 seconds West, 99.91 feet more or less; (11) North 17 degrees, 48 minutes West, 100.00 feet more or less; (12) North 30 degrees, 57 minutes West, 80.00 feet more or less; (13) North 34 degrees, 11 minutes West, 100.00 feet more or less, (14) North 27 degrees, 7 minutes West, 100.00 feet more or less; (15) North 14 degrees, 25 minutes West, 100.00 feet more or less, tent with the spirit and intent of the Baltimore County Zoning Regulations (B.C.Z.R.).

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, it appears the relief requested in the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this May of June, 1988 that the Petition for Special Hearing to approve a second amended final development plan to "Cradock Estates" to reduce the number of lots from 113 to 106 and to reduce the minimum setback line for Lot #22, Harvest Rush Road from 25' to 20', in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

> 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

Zoning Commissioner for Baltimore County

(16) North 9 degrees, 54 minutes, 40 seconds West, 171.13 feet more or less; (17) North 12 degrees, 20 minutes, 20 seconds West, 100.00 feet more or less; (18) North 16 degrees, 37 minutes, 20 seconds West, 100.00 feet more or less; (19) North 22 degrees, 15 minutes, 40 seconds West, 100.00 feet more or less to the point of beginning.

Parcel containing 36.751 acres of land more or less. Being the entire outline as shown on the "Second Amended Final Development Plan of Cradock Estates". 03-03-88

OFFICE (:If	COUNTY, MANCE - REVEN OUS CASH R	UE DIVISION	(,	50324
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FOR TILIAK	F. Con	Stan B	- 481k	lien 32:
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PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

OF LOTS FROM 113 TO 106 LOTS AND TO REDUCE THE MINIMUM SETDACK

LINE FOR LOT 22 HARVEST RUSH ROAD FROM 25' TO 20'. Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon fil-ing of this Petition, and further agree to and are to be bound by the zoning regulations and restric-tions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

NW 106

Contract Purchaser:	Legal Owner(s): UTVERSIFIED CRADOCK ESTATES LIMITED PARTNERSHIP
(Type or Print Name)	(Type or Print Name) D. I.A. CRADOCK ESTATES, INC. GENERAL PARTNERSHIP DATE 11-15-
Signature	Signature 200
Address	(Type A Print Name)
City and State	Signature N - 35°, 360
Attorney for Petitioner:	w-37, so 0
(Type or Print Name)	2416 VELVET VALLEY WAY 363-6644 Address Phone No.
Signature	OWINGS MILLS, MD 21117 City and State
Address	Name, address and phone number of legal owner, con- tract purchaser or representative to be contacted
City and State	SAMUEL B. SHOCKLEY, YICE PRESIDENT DEVELOPMENT ENGR'G CONSULTANTS, INC.
Attorney's Telephone No.	6603 YORK ROAD 377-2600 Address Phone No.
	20 0

ORDERED By The Zoning Commissioner of Baltimore County, this Alaman day 2312 day of JUNE, 188, at 9 o'clock

"DUPLICATE" CERTIFICATE OF PUBLICATION

NOTICE OF HEARING TOWSON, MD. Specify 9 1988 Zonung Act and Engulations of Balts more County will hold a public hearing on the property theatder herein in Room 106 of the County THIS IS TO CERTIFY, that the annexed advertisement was Other Suiding located at 111 W. Chesapeake Avenue in Towson, published in the OWINGS MILLS TIMES, a weekly newspaper Case number 86 506-5PH E/S Cradock Lane, 1500' E printed and published in Towson, Baltimore County, Md., appear-N Restrictions Road and Election Duting OWINGS MILLS TIMES,

5. Zete Orlin

peel period. The Ziming Commis-sioner rell, however, entertain any request for a stay of the insuance of of period during this period for good cause shown, buch request must be in writing and received in this office by the date of the hearing set above or presented at the hear J. ROBERT HAINES

2.C.O,-No. 1

Craduck Estates" to reduce the num-ber of lots from 113 to 506 lots and it

leet to 20 feet.
In the event that this Petition is

1,250 June 9

SS-506-SPH CERTIFICATE OF POSTING

District 3.1d	Date of Posting Quille, 1, 1957.	
Posted for:	u J.	
Petitioner: Perchifich	Chadock Estates Timital Partnershys	
Location of property: ELS Cin. C.	ug Cradock Estatu Limital Partiushiji k. Fana, 1500' H. Quisterstown Road	
ric le 1 1	J	
Location of Signatural St. L.	Ann approx. 200 Marth of Brings	
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Posted by Signature	Data of return: Jaciet 15, 1938	
Humber of Signer /	V	

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 494-3353

J. Robert Haines

June 30, 1988

Mr. Ellwood Sinsky Vice President Diversified Cradock Estates Ltd. Partnership 2416 Velvet Valley Way Owings Hills, Maryland 21117

RE: PETITION FOR SPECIAL HEARING E/S Cradock Lane, 1500' +/- N of Reisterstown Road 3rd Election District; 3rd Councilmanic District Diversified Cradock Estates Ltd. Partnership - Petitioner Case No. 88-506-SPH

Deir Mr. Sinsky:

Enclosed please find the decision rendered on the above-referenced case. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 494-3391.

> Very truly yours, J. Robert Haires Zoning Commissioner

> > for Baltimore County

Enclosure cc: People's Counsel

File

period, a building period thay be round within the therty (30; day ap-

your period. The Zening Commis-post period. The Zening Commis-ments will, leavewer, enterteen any request for a stay of the imments of each period during this period for good course shown. Such request must be in writing and received in the office by the dear of the beauty

CERTIFICATE OF PUBLICATION

The Zarang Communications of Balimore County, by authority of the Zarang Act and Requisitions of Balimore County will hold a public hearing on the property identified breves in Resm 10s of the County Office Building, located at 111 Vi. Chesapeaka Avenue in Toward, Maryland as follows: TOWSON, MD., SILAR R., 19 88 THIS IS TO CERTIFY, that the annexed advertisement was Prittion for Special Hearing
Case mumber: \$8-508-KPM
E/5 Credock Lone, 1500° ± ?
Reuterstown Road
3rd Election Dustrict
3rd Councilmant District
Prittionor(s):
Discretified Credock Estate
Lamited Partnershop published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on June 2, 19.88

THE JEFFERSONIAN.

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your petition has been received and accepted for filing this _ day of _____, 1988.

Diversified Credock Petitioner Estates Ltd Purtnership Attorney <u>Fliwood Sinsky</u>

Advisory Committee

Chairman, Zoning Plans

Baltimore County Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 J. Robert Haines

Dennis F. Rasmusser
County Executive

Mr. Ellwood Sinsky, Vice-President Diversified Cradock Estates Limited Pertnership 2418 Velvet Valley Way Owings Mills, Maryland 21117

Res Petition for Special Hearing CASE NUMBER: 88-506-SPH E/S Cradock Lane, 1500's N Reisterstown Road 3rd Election District - 3rd Councilmenic Petitioner(s): Diversified Cradock Estates Limited Partnership HEARING SCHEDULED: THURSDAY, JUNE 23, 1988 at 9:00 c.m.

Dear Mr. Sinskys

Please be advised that \$9000 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(3) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

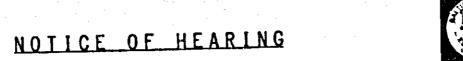
Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

n and post set(s), there BALTIMORE COUNTY, MARYLAND e for each set not OFFICE OF FINANCE - REVENUE DIVISION MISCIELLANEOUS CASH RECEIPT 8016 ***** 9000: 8 8 - 506 -VALIDATION OR SIGNATURE OF CASHIER

Baltimore County Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 494-3353

J. Robert Haines Zoning Commissioner

April 25, 1900



Dennis F. Rasmussen County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Special Hearing CASE NUMBER: 86-SDS-SPH E/3 Cradock Lane, 1500's N Reisterstown Road 3rd Election District - 3rd Councileanie Petitioner(s): Diversified Credook Estates Limited Pertnership HEARTHE SCHEDLLEDS THURSDAY, JUNE 23, 1908 of 9100 s.m.

Special Hesrings A "Second Associad Final Development Plan Cradock Estates" to seduce the number of lots from 113 to 106 lots and to reduce the minimum setbeck line for lot 22 Hervest Rush Road from 25 feet to 20 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES Zoning Commissioner of Baltimore County

Diversified Credock Estates Limited Partnership Development Engr[†]z Conebblants, Inc.

Baltimore County Fire Department Towson, Maryland 21204-2586 494-4500

April 5, 1988

J. Robert Haines Zoning Commissioner
Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204

Item No.: 325

Re: Property Owner: Diversified Cradock Estates Ltd. Partnership

Dennis F. Rasmussen

County Executive

Location: E/S Cradock La., 1500 + N. of Reisterstown Rd.

Zoning Agenda: March 22, 1988

Gentlemen:

Paul H. Reincke Chief

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or ____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at ______

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Pro-tection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments at this time

BALTIMODE COIINTY MARYLAND

J. Robert Haines To Zoning Commissioner Date May 23, 1988

P. David Fields, Director FROM Office of Planning & Zoning SUBJECT 88-506-SpH & # 88-521-SpH

There are no comprehensive planning factors requiring comment on these petitions.

Office of Planning & Zoning

PDF:bjs

CC: Shirley Hess, People's Counsel Zoning File

PETITIONER(S) SIGN-IN SHEET PLEASE PRINT CLEARLY ZHIB DEI DET NACCET WALL ZILLY 1300 YORK RD #110

Baltimore County Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204 494-3554

April 12, 1988

Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 320, 324, 325, 326, 327, 328, 331, 333, 334 and 335.

Very truly yours.

Michael S. Flanigan Traffic Engineer Associate II

MSF/pm1-b

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 1, 1988

COUNTY OFFICE BLDG. 111 W. Chesajoske Ave.

Bureau of Engineering Department of Traffic Engineering

State Roads Commission Bureau of fard Prevention Health Department Project Planning Building Department Board of Education Zoning Administration

Industrial

Mr. Ellwood Sinsky, Vice Fresident 2416 Velvet Valley Way Owings Mills, Maryland 21117

> RE: Item No. 325 - Case No. 88-506-SPH Petitioner: Diversified Cradock Estates Limited Partnership Petition for Special Hearing

Dear Mr. Sinsky:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received. I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

General & Depo lie JAMES E. DYER Chairman Zoning Plans Advisory Committee

JED:dt

Enclosures

cc: Samuel B. Shockley, Vice President Development Engineer Consultants, Inc. 6603 York Road Baltimore, Maryland 21212

